

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1295 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BHAILALBHAI HIRALAL PATEL

Versus

ADDL DEVELOPMENT COMMISSIONER & OTHERS

Appearance:

None present for the Petitioner

MR ND GOHIL for the Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 03/10/96

ORAL JUDGEMENT

1. Perused the file and heard learned counsel for the respondent. The petitioner, a Sarpanch of Asoj Gram Panchayat of Tal. Dist. Baroda filed this petition challenging thereunder the order dated 18th February, 1986 passed by the Additional Development Commissioner in appeal no.26/85. The petitioner was given a show cause notice by the District Development Officer Baroda dated 31st January, 1985 alleging certain irregularities

committed by him on two occasions on 22nd June, 1982 and 27th November, 1982. Under the order dated 30th May, 1985, the petitioner was ordered to be disqualified from continuing as Sarpanch of Village Asoj and his seat was declared vacant under subsection 2 of sec. 25 of the Gujarat Panchayat Act, 1961. Against the said order, the petitioner filed an appeal before the Additional Development Commissioner which came to be dismissed under the impugned order.

2. On 24th March, 1986, this Court made the order which is extracted below:

Rule. Ad-interim relief to the extent that the petitioner to continue as Sarpanch till further orders.

In view of the aforesaid interim relief granted by this Court, the petitioner would have completed his term as Sarpanch, and as such, nothing survives in this Special Civil Application. That appears to be the reason that nobody has put appearance on behalf of the petitioner.

3. In the result, this Special Civil Application is dismissed. Rule discharged.

zgs/-